Contractor McDonaldand the Surairy Companies Can't Agree.

#### WITHDRAWS APPLICATIONS.

Mayor Van Wyck Signs the Tunnel Bill and Sends It to Roosevelt.

B. McDonald, the contractor the Rapid Transit Commi the contract for building the therawn all applications for surety companies.

me other way. At present he says ractor McDonald said that

need have no fear concerning the He would, he said, have every

yor's office. Nii, passed at Albany last week

s for the issue of corporation pay for the tunnel and the cad that will be built in it without the ction of the Municipal Council. The bill will obviate the necessity.

issuing the total amount neces

the completion of the work both the Mayor's and the Gov signatures shall have been at-bonds may be issued in amounts restall to meet the requirements

stractor, stening to the arguments of ard, Mayor Van Wyck signed

ernor's aignature.

Representatives of several of the surerecommentee that hope to become facors on the bond of John is, inclonald
we the execution of the work of buildas the rapid-transit road met in the
dice of the United States Fidelity and
increases Company, 160 Broadway, at 1
clock this afternoon.
They discussed the quality and amount
the indemnity bond required for the
ond that they will give. It is undercood that the question of rates has not
stered into any of the conferences that
ave been held so far, and that it will
ot. The regular rate will be charged,
gardless of the magnitude of the
anaction—perhaps in consequence

### ASKS FOR PHELPS.

Health of Ex-Minister to England.

cable message from Mrs. Phelps communicated to Osborne House

helps, ex-Minister to England, who to-day. The physician reports that while Prof. Phelps's lungs are clearing and the

Belehe, Who Expected the Larger m. Spent the Money and to Arrested by the Hankers.

George Reiche, a silk weaver, of 142 Wes. One Hundred and Forty-ninth air, and Col. Williams, mounting halffreet, wrote his wealthy brother in

take they demanded the \$900 excess, but Reiche had paid it all out. He was armorning it was finally decided to let him planation to be given the late comers.

pay the money in e'all instainents. In the meanwhile he is under \$1,500 bonds.

#### FOSTER, FOSTER, FOSTER.

Prisoner's Name, Judge's Name and Complainant's Name the Same-One Year in "Pen." George Poster, thirty-five years old.

as arraigned before Judge Warren W. or in Part III., of General Sessions. glary.

Poster, on the night of Jan. 12, broke

into a candy store kept by Mrs. Maggie er in Harlem. Foster pleaded guilty

ed to Judge Foster for clemency for Foster, the prisoner. Mrs. Foster, the complainant, also ap-

pealed in behalf of the prisoner.

#### ZOLA IS ACQUITTED.

of Suit by Petit Journal Editor Thrown Out by French Court.

Jan. 31 .- The court to-day ac-M. Zola in the libel suit brought the novelist by M. Ernest Judet. tit Journal, arising from M

# BOND YET KENTUCKY CAPITAL IS FILLED WITH ARMED MEN.

(Continued from First Page.)

presiding officer. The lower House has not yet managed to organize.

Taylor and his officials will remain in Frankfort and hold the offices. The Democrats swear they will get possession of the State House.

Gov. Taylor's proclamation of "a state of insurrection" has aroused all Democrats, and bids fair to unite the factions

The Democrats have given up the attempt to mid this afternoon that he had hold a joint meeting at present. They are not allowed by the troops even to assemble in the streets.

Speaker Trimble says he will call the Legislature to meet at Covington.

Fighting is liable to occur at any moment.

#### TAYLOR ORDERS ARREST.

(Special to The Evening World.)

FRANKFORT, Ky., Jan. 31.

Gov. Taylor has issued a warrant for the arrest of South Trimble, the Democratic Speaker of the House, charging him with conspiracy to overthrow the Government.

## SOLDIERS SEIZE CAPITOL

New Gov. Taylor's Treess Read His Proclamation and Kept Legis-

diers were guarding every gate and that

the Capitol Hotel and march in a body to the State House. Clerk Edward Lee, of the House, with Representatives Kil-day and Louis, formed the advance guard, and at 8.0 they presented them-selves at the south gate of the Capitol

#### SOLDIERS ON GUARD.

A young fleutenant was on guard in ommand of a small squad. As soon as lowed to pass into the Capitol building. Not a soldier was in sight on the outside of the building, but once the door was opened it looked like war. Long lines of infantry were drawn up on each side of the hall with fixed bayonets. At the foot of the stairs leading to the legislative halls stood Col. Williams and behind him a detachment of

Col. Williams carried in his hand large bundle of papers, which he handed to each member of the house as they passed him. It was a copy of Gov. Taylor's proclamation. Col. Williams per-mitted Clerk Lee, Assistant Stone and

#### few representatives to pass upstairs. STOPPED BY TROOPS.

Then the main body came trampine through the doorway; and they were Loud cries and exclamations filled the way up the stairs, shouted:

proclamation issued by the Governor of Mulier, Schall & Co., 54 Wall street, to get a remittance. He received \$1,000, but He then read the proclamation in

> pass copies of it around. legislators were coming rapidly, however, and the pushing and stairway and read the proclamation a

#### second time. When he finished a repre CRIES OF ANGER.

'Mr. Chairman, where is London? "Is it in Kentucky?" yelled another

ever, and shouts of indignation were heard from the Democratic members. Then loud above the tumult came voice clear and sharp: "We are dealing with a pack of

heathen and hounds. Let's go to the Shouts of approval greeted this proposal and out of the door, down the broad steps streamed the crowd, hastening along St. Clair street toward the Opera-House. Close behind came Gen-Collier on the run. He shouted orders

to Lieut.-Col. Gray, who was standing by the steps; a few quick orders were given by that officer and away toward the Opera-House went the soldiers on the dead run.

middle of the street and easily distanced the legislators, who took the sidewalk and handicapped themselves

#### destrians that filled the way. BAYONETS GLEAM.

When the lawmakers arrived all they obtained for the run of a quarter of a ation, in reply to M. Judet's mile was the privilege of standing on etters published in the Petit at the Opera-House, the front of which was occupied by a panting line of sol Gen, Livons, the oldest and most corphysical drawbacks, managed to bear the soldlers and get into the hall. He

the militia had no right to keep any-body from it. He was completely ig-nored by Lieut.-Col. Gray.

Speaker Trimble stepped up to Lieut.-Col. Gray and demanded entrance to the hall. It was refused. Turning around Mr. Trimble addressed

#### RACED THE TROOPS.

Away went the crowd, with good-na tured vells of derision at the soldiers. who had orders to remain at the Opera-House and could not leave.

The triemph of the lawmakers was feet from the Opera-House, around the orner swung a second company of soldiers directly in their path. The second heat of the race was now on and away went the dignified Senators and Repre sentatives down the street in a cloud of dust, yelling like a pack of Indians. Alongside ran the soldiers.

#### BALKED AGAIN.

"It cannot be done, gentlemen," said the General, calmly.

This settled it for the time being, at least, and the crowd melted away, determined, however, to hold a meeting later, somewhere and somehow.

Speaker Trimble announced "that the Legislature will now adjourn, subject to my call."

All the crowd had dispersed. It was decided by the military authorities that if another attempt at meeting was made all concerned in the gathering would be arrested and locked up.

#### GOVERNOR IS FIRM.

The Republicans selsed all the docu-ments and records of both houses and all State Departments. The Democrats have no plan as yet. They are stupened

have no plan as yet. They are stupened by the action of the Governor.

Emmet: Orr. who has been an anti-Goebel Democrat, says the result of the Governor's action will be to solidify the Democrats and make Goebel Governor fire a lives. Adjt.-Gen. Collier said to The Evening World correspondent:

The Governor has issued his proclamation by the bower vested in him by the Constitution to adjourn the Legislature when a state of insurrection exists. We have men enough here to enforce his order and no meeting of the Letislature or any part of it will be allowed to take place here. The Governor's order directs it to adjourn to goet in London on Feb. 6, and it will obey in London on Feb. 6, and it will obey that order or nothing."

#### WHY LONDON IS CHOSEN.

### IN DEATH'S SHADOW.

consider that death is a practical certainty and that within a very short time."

WHAT'S YOURS? SAM

NEW COAT OF ARMS FOR KENTUCKY.



### PLOT TO KILL JUDGES MAKES COURT ADJOURN.

FRANKFORT, Ky., Jan. 31.—The Court of Appeals indefinitely adgiven for the Appellate Court adjourning is the fact that letters were received from Middleboro to-day stating that Appellate Judges Hazelrigg and Hobson were also to have been killed yesterday.

#### \*\*\*\*\*\*\*\*\*\*\*\*\* GOV. TAYLOR PROCLAIMS A STATE OF INSURRECTION.

FRANKFORT, Ky., Jan. 31.-Gov. Taylor at 10 o'clock issued the following proclamation To the General Assembly of the Commonwealth of Kentucky.

Whereas, a state of insurrection now prevails in the State of Kentucky and especially in Frankfort, the capital thereof, by virtue of the authority vested in me by the constitution of Kentucky I do hereby, by this proclamation, adjourn at once the General Assembly tucky, Tuesday, the 6th day of February, 1906, at 12 o'clock.

Given under my hand at Frankfort, Ky., this 30th day of January, 1900, at 9 o'clock P. M. (Signed) W. S. TAYLOR, Governor of Kentucky.

By Caleb Powers, Secretary of State

\* made by Dr. Morgan Vance, of Louis- licans will pay no attention to the mat-

INJECTED BLOOD.

GATLING GUNS OUT. More than one thousand State troops are now in the city and five hundred more are expected to-day. Three Gatling guns command the approaches to the State House and the troops are blyouncked in the yard.

The weather is intensely cold, the thermospeter being below zero, and the soiders are suffering. Col. Williams, of Lexington, is in command of the troops, and he said details would be posted to-day in all the public offices and that order would be maintained throughout the city.

there is nothing in the situation in Kentucky calmng for Federal interference.

Federal troops will be ordered to Kentucky only as a last resort, and only then upon representations of the State authorities that they had exhausted all their resources and were powerless to deal with the situation.

Gen. Merritt, commanding the De-

ASSASSIN IS FREE.

Troops Pour into Frankfort, White Goebel's Life is slowly Ebbing Away.

(Special to the Evening World.)
FRANKFORT. Ky., Jan. 31.—Dr. Hume, who has been in attendance upon Senator Goebel since he was shot, came from the wounded man's bedroom at 5 A. M. and announced that there was hardly a possibility that he could recover.

"The only thing that keeps him alive," and De. Hume, "is his splendid nerve. He cannot keep up on that alone, however, and teemsider that death is a practical.

TIBMEN MORE DAGE.

#### TURNED MOBS BACK

ter and will refuse to surrender any of the offices.

They have made up their minds that the seating of Goebel by a joint bellot is illegal even under the Goebel election law, which provides that a contesting candidate for Governor shall be seated by a majority of both Houses. They will resist flatly any effort of the Demo-crats to seat officers by joint ballot. Gov. Taylor and his attorneys re-mained all night in the State House. Threats had been made against all of them and it was thought the wise thing for them to remain where they were.

#### N'KINLEY WON'T ACT.

o Federal Troops to Be Sent to Kentucky Except as a Last Resort.

WASHINGTON, Jan. 11.-Secretary Root is authority for the statement that there is nothing in the situation in Ken-

lately Governor-General of Cuba, were at the War Department to-day, but

# DENOUNCE GOY. TAYLOR.

FRANKFORT, Ky., Jan. 11.-For the

Run Down on Park Row and Perhaps Mortally Injured.

crossing Park Row at James street. Both were seriously injured, and on

was wrapped around an axle, and it was necessary to lift the car with jacks before the victim could be released. This caused a blockade on the road which lasted for nearly an hour.

The women were mother and daughter Mrs. John Pagliughi, fifty-five years old of 13 Roosevelt street, and Mrs. J. J Cunio, twenty years old, of 271 Palisad They were dragged fifteen feet before

### BULLER TO TRY AGAIN

ervices to-night

ere allowed to remove our wounded the artillery. All day our stretcherarers were busy carrying down men." CAPE TOWN, Tuesday, Jan. 30.-Gen. Buller still holds the Tugela drifts and will possibly renew his attempt to force fore long. In any case Ladysmith is

who arrived here as muleteers have enisted in the British forces.

## BULLER PRAISES HIM.

Cent. at Spion Kop and Acted

Properly in Retreating. LONDON, Jan. 31.-Gen. Buller teleraphs from Spearman's Camp, under to-day's date, that Col. Thorneycroft was the officer who ordered the retirement at Spion Kop, Gen. Buller adds: "It is due to him to say that I solieve his personal gallanter withdrawal is, in my opinion, attributable to him, and I think his

### BOER LOSSES WERE 173.

Admit Fifty-three Were Killed Fighting Around Spion Kop.

PRETORIA, Monday, Jan. 29 .- It is officially armounced that the Boer casualties at Spion Kop were 53 men killed

## WEBSTER DAVIS AT FRONT.

ident Kruger's Private

PRETORIA. Jan. 31.-Webster Davis. Assistant Secretary of the Interior at Washingtone accompanied by United State Consul Hollis and the State Attorney, started to-day for the Boer Head Langer at Ladysmith in the President's saloon carriage.

## FATE AGAINST SUICIDE

Were Too Handy When Gross

Through the ready work of a police then upon representations of the State ably prevented at noon to-day. Bryan, of Believue, was passing through Second street when a police man hailed him and he found that a men had just attempted suicide by gas at 230 Second street.

Benjamin Grossman, fifty years old. lives at that address with his wife. She discovered him with the end of a

## JUMPED FROM WINDOW.

Fire and Was Probably Mortally Injered. Rilen Donohue, a young treman jumpe; from the second story window of the tenement at 250 East Eighty-first

WEAK, and DISCOURAGED WOMEN

Oives Strength a a. Weak-Health a a. Sick!

## Announcement

WE beg to announce the opening of our spacious store on February 1st, for the sale, at retail, of Imported and Domestic Costumes for Street and Evening Wear; Cloaks, Jackets, Driving Coats, Mantels, and Evening Wraps, Shirt Waists, Shirts, Millinery, Furs, novelties for shoulder and neck wear.

Our stock will comprise a representative collection of the latest styles.

Alcott & Weekes 20th St., bet. Broadway & Fifth Ave.

### Correct Linen, an important matter with the

lengths,

B. Altman & Co

MILLINERY DEPT.

FIRST FLOOR. ADVANCE SPRING STYLES OF

**NEW ENGLISH HATS** 

SIMPLY TRIMMED STREET HATS.

IN STITCHED CLOTH AND SILK

# TIGHE WILL SUIT RNDED.

Called Of.

"Sir" Richard Tighe. He left an estate valued at \$2,000,000.

who claimed to be a grandson, was dis-

SHIPPING NEWS.

ALMANAC POR TO-DAY.

PORT OF NEW YORK

OUTGOING STEAMSHIPS.



man who follows fashion.

Imported White Shirts

For Evening Wear,

9-inch bosom, open front only.

cuffs at!ached - all sleeve

\$2.00.

For Day Wear,

8-inch bosom, open back and from

\$1.50.

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Three BROADWAY Cor. Canal St. Near Chamber

all sleeve lengths,

who understand them, make business as well as fires burn

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Lost, Found and Rewards. pay-ye-day, on fth ave., between 67th an